

**REMARKS**

Claims 1–7 are pending in this application. By this Amendment, claims 1–4 are withdrawn-currently amended and claims 5–7 are amended to clarify the previously recited features. Support for the amendments to claims 5–7 can be found in pages 64 and 67–71 and in Figures 8–10 and 21–23. No new matter is added. Applicants respectfully request reconsideration and prompt allowance in view of at least the following remarks.

The Office Action rejects claims 5–7 under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. The amendments to claims 5–7 correct the specific alleged indefinite phrases indicated in the Office Action. Thus, Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claims 5–7 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,973,626 (Lahti). Applicants respectfully traverse the rejection.

Initially, Applicants stress the following requirements for a 35 U.S.C. §102 rejection.

1) In order to anticipate a claim, all features or limitations of a claim must be disclosed in a single reference either explicitly or inherently. 35 U.S.C. §102. See also, In re Paulsen, 30 F.3d 1475, 1478, 1479, 31 USPQ2d 1671, 1675 (Fed. Cir. 1994); In re Spada, 911 F.2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1990); Hazani v. Int'l Trade Comm'n, 126 F.3d 1473, 1477, 44 USPQ2d 1358, 1361 (Fed. Cir. 1997); and RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984).

2) All positively recited features of a claim must be addressed in an Office Action. In re Angstadt et al., 190 USPQ 214 (CCPA 1976); In re Alul et al., 175 USPQ 700 (CCPA 1972); and General Electric Company v. U.S., 198 USPQ 65 (US Cl.Ct 1978).

3) When rejecting a claim based on prior art, the Examiner must designate the particular part of the reference relied on as nearly as practicable. 37 C.F.R. §1.104(c)(2).

The Office Action has failed to meet any of the above requirements in asserting the below rejections. First, the above rejection simply alleges anticipation of the features of independent claims 5–7 without addressing all of the positively recited features the claims. Second, the above rejection fails to indicate the portion of the applied references relied on as disclosing specific features of the rejected claims. Rather, the Office Action simply quotes, verbatim, column 3, lines 35–57, of Lahti as evidence that Lahti allegedly discloses the claims of the current application without reciting any particular features of the claims.

In view of at least the forgoing, the above rejection fails to meet the basic requirements of a 35 U.S.C. §102 rejection and is improper. Because the above rejection is improper, Applicants respectfully request withdrawal of the rejection. However, in order to expedite prosecution, Applicants will address the rejection below, as best understood.

Lahti discloses a client system 12 that "supports 'hidden' or otherwise unviewable portions of web pages 18" (Lahti col. 3, lines 38–39). The Office Action, as best understood, appears to allege that the "hidden" or otherwise unviewable portions of the web pages related to the client system discloses the previously recited "hidden images" in claims 5–7. However, the "hidden" and otherwise unviewable portions of the web pages disclosed in Lahti are related to supporting the communication of user input between the client system 12 and the server system 14 and automatic generation and updating of GUI elements 52 (Lahti col. 6, lines 4–11). Lahti further discloses "hidden" frames that may include a configuration API frame 54 and a configuration data frame 56 (Lahti col. 6, lines 11–13). These frames are described as JavaServer Pages (JSPs) that include JavaScript code that is executed when appropriate (Lahti col. 6, lines 17–19). Thus, the "hidden" and otherwise unviewable portions of the web pages 18 disclosed in Lahti to the code of the web pages. The code of the web pages is completely unviewable because it is only required to instruct the web browser that is browsing the web pages how to function.

The amendments to the claims further distinguish that the otherwise unviewable portions of the web pages disclosed in Lahti as described above fail to disclose the current claims. Rather, the amendments amend the term "hidden images" to recite "visually encrypted images"<sup>1</sup> to further clarify that the "visually encrypted image" is viewable by a user of the terminal device and thus are not "unviewable." However, the "visually encrypted image" is displayed in such a way that the object of the image, for example the panda illustrated in Figure 21, is not discernible to the user of the terminal device by viewing the "visually encrypted image" alone because the "visually encrypted image data [] causes indication of a visually encrypted image in a portion of a predetermined area of an image being displayed." Instead, the user must use the "filter image" which is displayed in the other portion of the predetermined area than the "visually encrypted image" so that the "visually encrypted image" is decrypted when the user associates the "filter image" with the "visually encrypted image," as recited in claim 5 as "wherein said terminal displays said visually encrypted image data and said filter image data on said display and said visually encrypted image is visually decrypted by overlaying the filter image over the visually encrypted image to provide information intended for particular communication purpose." This occurs because the "visually encrypted image" is displayed in a portion of the predetermined area and the "filter image" is displayed in the other portion of the predetermined area, which correspond to reveal the object of the "visually encrypted image," as disclosed in Figures 20 and 22.

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<sup>1</sup> Support for the amendment of "hidden image" to "visually encrypted image" is found on pages 68 and 70, where the specification discusses the arbitrary light emission points of the display, as illustrated in Figure 21. The definition of "encrypt" is "to put into code or cipher" and the definition of "cipher" is "a cryptographic system in which units . . . are arbitrarily transposed or substituted" (American Heritage College Dictionary, 4th Ed.). Thus, the emission points are the arbitrarily transposed or substituted units creating the "visually encrypted image."

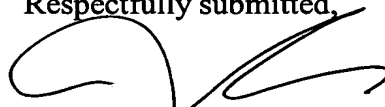
Thus, Lahti the "hidden" or otherwise unviewable portions disclosed in Lahti do not disclose the "visually encrypted image" in the current application. As claims 5–7 similarly recited the "visually encrypted image" and "filter image," claims 5–7 are patentable over Lahti, and Applicants respectfully request withdrawal of the rejection.

Claims 1–4 are withdrawn from consideration being held to a non-elected species. However, it should be noted that claims 1–4 and claims 5–7 share the same or corresponding technical features so as to define a contribution that each claimed invention, considered as a whole, makes over the prior art and, therefore, relate to one invention or a group of inventions so linked as to form a single general inventive concept (See PCT Rules 13.1, 13.2). Each claim is related to using information input data, visually encrypted image data and a color tone emitted from a display connected to a terminal device to create a type of communication system and transmitting information to the terminal device so that the object of the visually encrypted image is discernible. Because this general inventive concept is patentable over the prior art, as discussed above, Applicants respectfully assert that withdrawn claims 1–4 are patentable over the prior art and request rejoinder of the withdrawn claims in light of the current application being in condition for allowance.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claim 1–7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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RRS:KRG/jnm

Attachment:  
Petition for Extension of Time

Date: May 23, 2008

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